

**Agricultural Marketing Service
Office of the Deputy Administrator for Marketing Programs
Fruit and Vegetable Programs
PACA Branch
Regional Office
Fruit and Vegetable Marketing Specialist (Regulatory)
GS-1146-5
Mediator/Investigator**

Standard Job FV55

I. INTRODUCTION

The PACA Branch administers the Perishable Agricultural Commodities Act (PACA), which prohibits unfair trade practices in the marketing of fresh and frozen fruits and vegetables in interstate or foreign commerce, and the Produce Agency Act (PAA), which prohibits the unlawful destruction of perishable farm products. The position is located in a regional office.

The incumbent serves as a Fruit and Vegetable Marketing Specialist responsible for performing a variety of technical support duties associated with complaint, license, and disciplinary matters originating under the PACA, and complaint matters originating under the PAA.

II. DUTIES AND RESPONSIBILITIES

Participates in carrying out licensing activities of the region. This involves examining books and records of produce firms to make preliminary determinations of whether a PACA license is required. Participates in reviewing operations of packers, dealers, retailers, and marketing agents to assure compliance with the licensing, bonding, and employment provisions of the PACA.

Participates in conducting personal investigations and audits of business records to verify accounts of sale, assemble evidence for use in administrative or court proceedings, prevent or correct unfair trade practices in the trading of perishable agricultural commodities, and evaluate financial status of fruit and vegetable traders.

Prepares preliminary reports indicating records reviewed and facts established for use by the supervisor or higher graded marketing specialist in determining violations of the Perishable Agricultural Commodities Act, preparing cases for prosecution, determining license liability, and compliance with regulations and requirements under the various Acts.

Studies statutes, regulations, precedents, agency policies and a variety of cases to become acquainted with the regulations and applications of the Acts.

Personal investigations generally require overnight travel within the regional office boundaries and at times to other parts of the country for periods of one to three weeks. Overall travel may range between 20 to 35 percent of the time.

Updates the Branch database with information and activities related to license and complaint matters.

Adheres to Equal Employment and Civil Rights policies, goals, and objectives in performing the duties of this position. Assures that written and oral communications are bias-free and that differences of other employees and customers are respected and valued.

III. FACTORS

1. Knowledge Required by the Position

Knowledge of the PACA and the established rules, regulations, policies, and precedents established.

Knowledge of production, marketing, and distribution procedures unique to the fresh and frozen fruit and vegetable industry.

Knowledge of the grading procedures and U.S. grade standards for fruits and vegetables.

Ability to analyze evidence and develop findings and recommendations as a result of investigations under the provisions of the PACA.

Knowledge of various laws relating to business structures, bankruptcy, and state regulatory functions.

Ability to progressively acquire knowledge of basic marketing principles, concepts, practices, and methodologies and skill in applying this knowledge when performing elementary assignments.

2. Supervisory Controls

The supervisor or other marketing specialists provide the assignments, giving the necessary detailed instructions on the methods to be used in performing each phase of the work. The incumbent works in strict adherence to rules, regulations and instructions, etc., and is readily available, when needed. The work is performed with close supervision and is reviewed upon completion for compliance with instructions.

3. Guidelines

Guidelines consist of enabling statutes as well as a variety of Branch, Division, and Agency regulations, policies and procedures. Guidelines also include USDA and court precedent decisions involving contracts, agency, and fair trade practice, as well as

bankruptcy laws and various State laws. The incumbent is provided with the specific instructions on application of guidelines and receives training appropriate to each phase of work. New interpretations and adaptations are discussed with the supervisor or higher graded marketing specialist prior to application.

4. Complexity

The work involves resolving highly technical contractual matters requiring knowledge of many aspects of marketing. The work also involves the ability to extract information, obtain evidence, and reach conclusions on data obtained from diverse business records.

The duties involve several related steps and procedures and most tasks are clear-cut. The technical factors necessary to consider are relatively apparent. Variations in the work stem primarily from the particular type of work being performed.

5. Scope and Effect

The work involves following specific rules, standards, procedures, etc., for each type of action being considered. Although the incumbent may gather data and prepare reports, the final product is under the close supervision of an experienced specialist or supervisor. The work product has a direct and substantial impact on fair trade practices in the industry. Large sums of money, and even the right of fruit and vegetable traders to engage in business, can be affected by the recommendations and conclusions of the incumbent.

6. Personal Contacts

The employee maintains contacts with co-workers, supervisors, other employees of the Branch, Division, and Agency; members of the fruit and vegetable industry and related industries, such as truckers and railroad officials; attorneys; other Federal officials; and, state government officials. Contacts are sometimes made under adverse conditions, and incumbent will encounter hostility and occasional aggressive behavior from individuals subject to sanctions under the laws.

7. Purpose of Contacts

The purpose of the contacts are to provide advice on contractual disputes, obtain evidence for administrative and court proceedings, and resolve complaint and license issues.

8. Physical Demands

There are no special physical demands required; however, there may be occasional standing, bending, walking and carrying of relatively light items, such as files or business records.

9. Work Environment

The work is normally performed in an office setting and on occasion other sites directly related to the industry.